

TEXAS TRANSPORTATION COMMISSION

HARRIS County

MINUTE ORDER

Page 1 of 1

HOUSTON District

In the City of Houston, Harris County, near I-10, the state of Texas acquired a certain right of way easement for highway purposes by an instrument recorded in File Number 20150263262 of the Official Public Records of Real Property of Harris County, Texas.

In accordance with V.T.C.A., Transportation Code, Chapter 202, Subchapter B, the Texas Transportation Commission (commission) may recommend the exchange of an interest in real property acquired but not needed for a highway purpose as whole or partial consideration for another interest in real property needed for a state highway purpose.

The right of way easement, encumbering the real property described in Exhibit A (tract), is no longer needed for a state highway purpose. The value of the easement encumbering the tract is \$525,066.

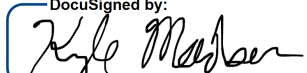
The right of way easement, encumbering the real property described in Exhibit B (parcel), is needed for a state highway purpose and will be conveyed to the state by McKee City Living, LP (McKee). The value of the easement encumbering the parcel is \$545,661.

McKee has requested that the right of way easement encumbering the tract be released to McKee in exchange for the right of way easement encumbering the parcel, and McKee will donate the \$20,595 difference in values between the easements to the state, in accordance with an executed exchange agreement.

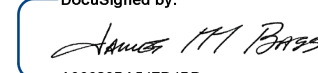
It is the opinion of the commission that it is proper and correct that the state release the right of way easement encumbering the tract to McKee as consideration for the right of way easement encumbering the parcel and accept the donation of \$20,595 value difference from McKee.

IT IS THEREFORE ORDERED by the commission that the right of way easement encumbering the tract is no longer needed for a state highway purpose. The commission recommends, subject to approval by the attorney general, that the governor of Texas execute a proper instrument releasing all of the state's right, title, and interest in the right of way easement encumbering the tract to McKee City Living, LP in exchange and as consideration for the right of way easement encumbering the parcel and also accept the donation of \$20,595 in value difference to the state.

Submitted and reviewed by:

DocuSigned by:

BDEF0413AC9E4EC
Director, Right of Way Division

Recommended by:

DocuSigned by:

A36629BA547D4BD...
Executive Director

115916 Dec. 10, 2020

Minute Number	Date Passed
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EXHIBIT A

County: Harris
Highway: Interstate Highway 10
Project Limits: At Elysian Street Underpass
RCSJ: 0508-01-326

PROPERTY DESCRIPTION FOR PARCEL 112E

Being a 0.1715 acre (7,470 square feet) parcel of land situated in the John Austin Two League Grant, Abstract No. 1 in Harris County, Texas; being a part of Blocks 8 and 10 of S. F. Noble's Addition, a subdivision recorded in Volume 5, Page 69, Deed Records of Harris County, together with a portion of First Street and Hardy Street vacated by the City of Houston by instrument recorded in Volume 596, Page 19, Deed Records of Harris County; being out of and a part of that certain called 12.2222 acre (calculated) tract of land described in the deed from McKee Holdings, Inc. to 12.3 Buffalo Bayou LP, executed on December 21, 1998 and recorded in Harris County Clerks File No. T460071, Official Public Records of Real Property of Harris County, Texas, said 0.1715 acre parcel is more particularly described by metes and bounds as follows:

COMMENCING at a 5/8 inch iron rod found on the existing northerly right-of-way line of the Union Pacific Railroad (100 feet wide with no record information for right-of-way found), the existing east right-of-way line of McKee Street (width varies) and the west line of said S. F. Noble's Addition, said rod being the southwest corner of that certain called 3.1163 acre tract of land described in the deed to SEC McKee @ Sterrett, LLC executed on June 10, 2011 and recorded in Harris County Clerks File No. 20110239836, Official Public Records of Real Property of Harris County, Texas;

THENCE, South 02 degrees 11 minutes 15 seconds East, along the west line of said S. F. Nobles Addition and along the existing east right-of-way line of said McKee Street, crossing said Union Pacific Railroad right-of-way, a distance of 104.54 feet to a 5/8 inch iron rod with a Txdot aluminum cap set for the northwest corner of a proposed easement on the existing southerly right-of-way line of said Union Pacific Railroad, said rod being the northwest corner of said 12.279 acre tract and the POINT OF BEGINNING of the parcel herein described having coordinates of X=3,126,095.75, Y=13,846,056.63;

- (1) THENCE, North 70 degrees 51 minutes 33 seconds East, along the northerly line of said 12.279 acre tract and along the existing southerly right-of-way line of said Union Pacific Railroad, a distance of 374.67 feet to a set 5/8 inch iron rod with a TxDOT aluminum cap for the northeast corner of said proposed easement on the proposed westerly right-of-way line of Elysian Viaduct (width varies);

D

ER 070-56-1108

EXHIBIT A

- (2) THENCE, South 03 degrees 48 minutes 10 seconds West, along the proposed westerly right-of-way line of said Elysian Viaduct, a distance of 21.72 feet to a 5/8 inch iron rod with a TxDOT aluminum cap set for the southeast corner of said proposed easement from which a 5/8 inch iron rod with a TxDOT aluminum cap found on the proposed westerly right-of-way line of said Elysian Viaduct bears South 03 degrees 48 minutes 10 seconds West, 145.45 feet;
- (3) THENCE, South 70 degrees 51 minutes 33 seconds West, a distance of 372.30 feet to a 5/8 inch iron rod with a TxDOT aluminum cap set for the southwest corner of said proposed easement on the west line of said S. F. Noble's Addition, the west line of said 12.279 acre tract and the existing east right-of-way line of said McKee Street;
- (4) THENCE, North 02 degrees 11 minutes 15 seconds West, along the west line of said S. F. Noble's Addition, the west line of said 12.279 acre tract and the existing east line of said McKee Street, a distance of 20.91 feet to the POINT OF BEGINNING and containing 0.1715 acre (7,470 square feet) of land.

A parcel plat of even date was prepared in conjunction with this property description.

Ground surveying was performed in January 2012.

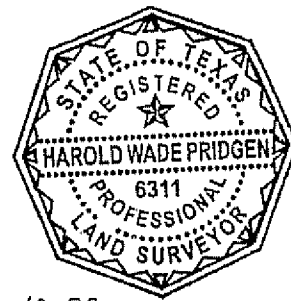
All bearings and coordinates are based on the Texas Coordinate System, South Central Zone, North American Datum of 1983, 1993 adjustment. All distances and coordinates shown are surface and may be converted to grid by dividing by a combined adjustment factor of 1.00013.

** The monument described in this call may be replaced with a TxDOT Type II right-of-way marker upon completion of the highway construction project under the supervision of a Registered Professional Land Surveyor, either employed or retained by TxDOT.

By: Huitt-Zollars, Inc.

H W P

Harold W. Pridgen
Registered Professional Land Surveyor No. 6311
1500 South Dairy Ashford, Ste. 200
Houston, Texas 77077
281/496-0066

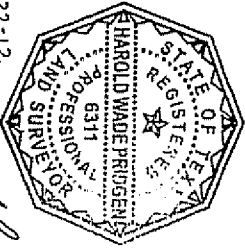
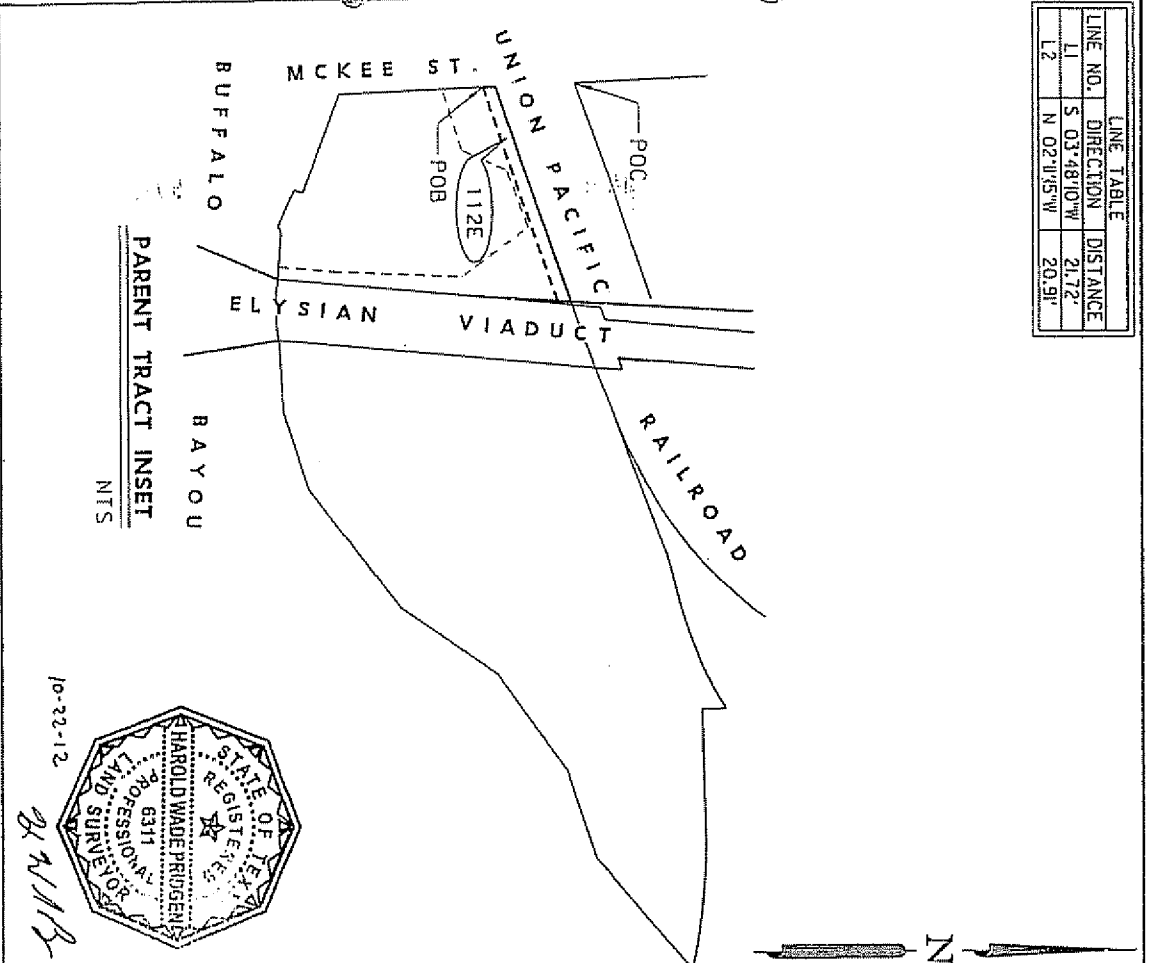


10-22-12

ER 070-56-1109

Exhibit A

LINE TABLE		
LINE NO.	DIRECTION	DISTANCE
11	S 03°48'10"W	21.72'
12	N 02°11'45"W	20.91'



10-22-12
HWS

- LEGEND**
- SET 5/8" IRON ROD W/TXDOT ALUMINUM CAP (SEE NOTE B1).
 - FOUND CORNER AS DESCRIBED
 - SET HUB AND TACK
 - FOUND 5/8" IRON ROD W/TXDOT ALUMINUM CAP

NOTES

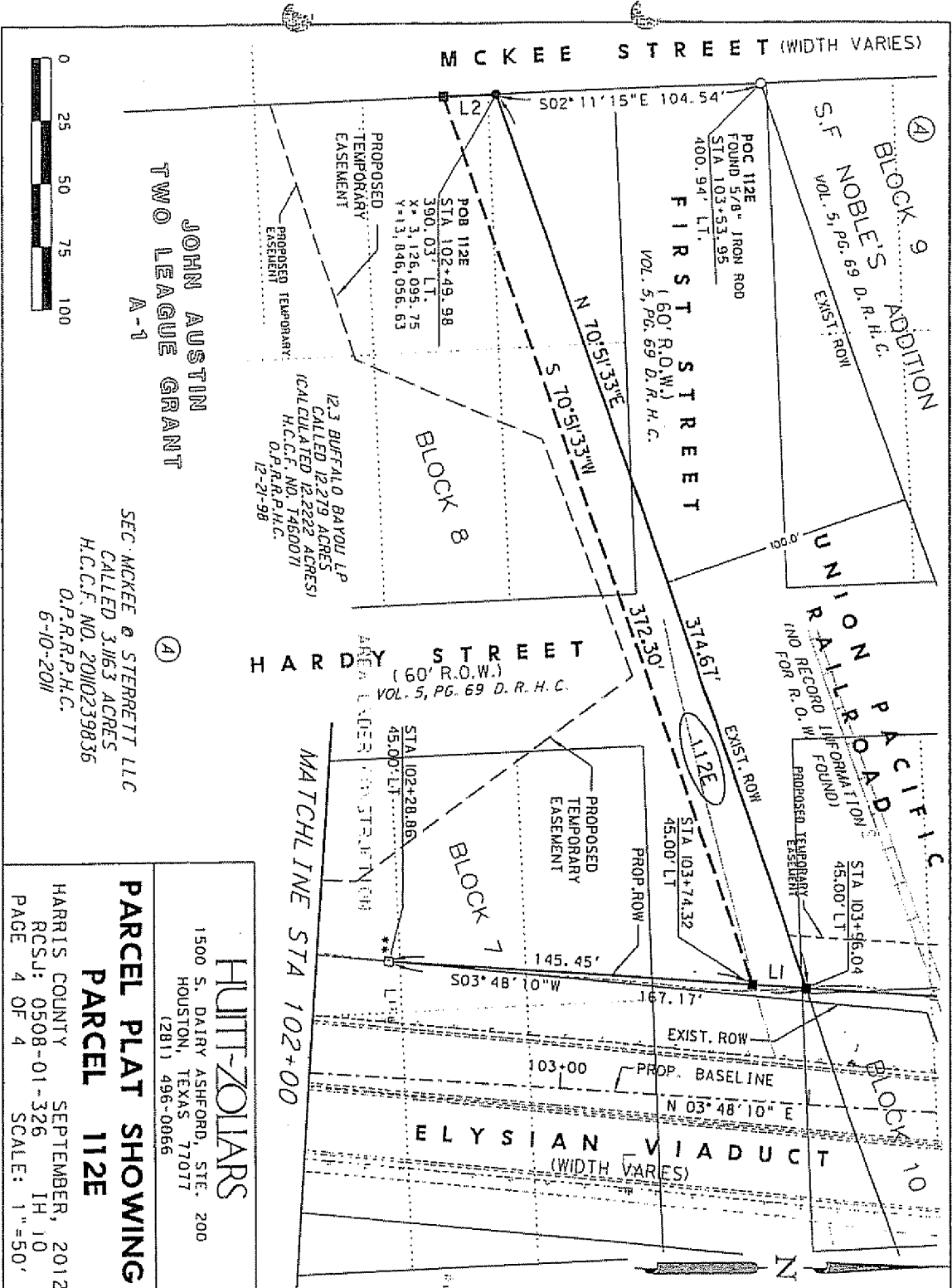
1. D.R.H.C. INDICATES DEED RECORDS OF HARRIS COUNTY.
2. H.C.M.R. INDICATES HARRIS COUNTY MAP RECORDS.
3. H.C.C.F. No. INDICATES HARRIS COUNTY CLERK'S FILE NUMBER.
4. D.R.P.H.C. INDICATES OFFICIAL RECORDS OF REAL PROPERTY OF HARRIS COUNTY.
5. EXISTING AND REMAINING AREAS ARE ACCORDING TO DEEDS OF RECORD AND/OR COMPUTED.
6. A PROPERTY DESCRIPTION OF EVEN DATE WAS PREPARED IN CONJUNCTION WITH THIS PARCEL PLAT.
7. ALL BEARINGS AND COORDINATES ARE BASED ON THE TEXAS COORDINATE SYSTEM, SOUTH CENTRAL ZONE, NORTH AMERICAN DATUM OF 1983, 1993 ADJUSTMENT. ALL DISTANCES AND COORDINATES SHOWN ARE SURFACE AND MAY BE CONVERTED TO GRID BY DIVIDING BY A COMBINED ADJUSTMENT FACTOR OF 1.00013.
8. IF THE MONUMENT DESCRIBED MAY BE REPLACED WITH A TXDOT TYPE 11 RIGHT-OF-WAY MARKER UPON COMPLETION OF THE HIGHWAY CONSTRUCTION PROJECT UNDER THE SUPERVISION OF A REGISTERED PROFESSIONAL LAND SURVEYOR, EITHER EMPLOYED OR RETAINED BY TXDOT.
9. A TXDOT TYPE 11 RIGHT-OF-WAY MARKER IS A TXDOT BRASS DISK IN CONCRETE.

AREA TABLE			
EXISTING AC.	EASEMENT TAKING AC./S.F.	REMAINER	
12.2222		LEFT	12.2222
(CALCULATED)	0.715 / 7.470	RIGHT	12.2222

HUTT-ZOLLARS
1500 S. DAIRY ASHFORD, STE. 200
HOUSTON, TEXAS 77077
(281) 496-0066

**PARCEL PLAT SHOWING
PARCEL 112E**
HARRIS COUNTY SEPTEMBER, 2012
RCSJ: 0508-01-326 1H 10
PAGE 3 OF 4 SCALE: NTS

Exhibit A



HUTT-ZOLLARS
 1500 S. DAIRY ASHFORD, STE. 200
 HOUSTON, TEXAS 77077
 (281) 496-0066

PARCEL PLAT SHOWING
PARCEL 112E

HARRIS COUNTY
 RCSJ: 0508-01-326
 PAGE 4 OF 4
 SEPTEMBER, 2012
 1H 10
 SCALE: 1"=50'

EXHIBIT B, PAGE 1 OF 3 PAGES

County: Harris
Project: McKee City Living
M&B No: 20-007(R)
CS Job No: 19150

METES AND BOUNDS DESCRIPTION OF 0.1782 ACRE

Being a tract of land containing 0.1782 acre (7,763 square feet), located in the John Austin Survey, Abstract 1, in Harris County, Texas; Said 0.1782 acre tract being out of Unrestricted Reserve "A", Block 1, of McKee City Living, a subdivision recorded in Film Code Number (F.C. No.) 690656 of the Harris County Map Records (H.C.M.R.), same being recorded in the name of McKee City Living, LP in Harris County Clerk's File (H.C.C.F.) No. RP-2020-100927; Said 0.1782 acre tract being more particularly described by metes and bounds as follows (all bearings are referenced to the Texas Coordinate System of 1983, South Central Zone):

COMMENCING, at a 1/2-inch capped iron rod found at the southwest corner of said Unrestricted Reserve "A", on the east Right-of-Way (R.O.W.) line of McKee Street (width varies);

THENCE, with the west line of said Unrestricted Reserve "A" and the east R.O.W. line of said McKee Street, the following two (2) courses:

1. North 02° 13' 33" West, a distance of 142.40 feet to the southwest corner and **POINT OF BEGINNING** of the herein described tract;
2. North 02° 13' 33" West, a distance of 21.00 feet to a point for the northwest corner of the herein described tract, from which a 5/8-inch capped iron rod found on the southeast line of a Union Pacific Railroad R.O.W. of record in Volume 9B, Page 556, and Volume 573, Page 562, of the H.C.D.R., at the northwest corner of said Unrestricted Reserve "A", bears North 02° 13' 33" West, a distance of 22.99 feet;

THENCE, through and across said Unrestricted Reserve "A", the following two (2) courses:

1. North 87° 46' 27" East, a distance of 13.75 feet to an angle point;
2. North 70° 49' 15" East, a distance of 357.21 feet to a point on the east line of said Unrestricted Reserve "A" and the west R.O.W. line of Elysian Street (width varies per Volume 2953, Page 321, of the H.C.D.R. and H.C.C.F. No. 20150263261), for the northeast corner of the herein described tract;


THENCE, South 03° 45' 52" West, with the east line of said Unrestricted Reserve "A" and the west R.O.W. line of said Elysian Street, a distance of 22.80 feet to a point for the southeast corner of the herein described tract;

EXHIBIT B, PAGE 2 OF 3 PAGES

THENCE, through and across aid Unrestricted Reserve "A", the following two (2) courses:

1. South 70° 49' 15" West, a distance of 351.45 feet to an angle point;
2. South 87° 46' 27" West, a distance of 16.88 feet to the **POINT OF BEGINNING** and containing 0.1782 acre (7,763 square feet) of land.

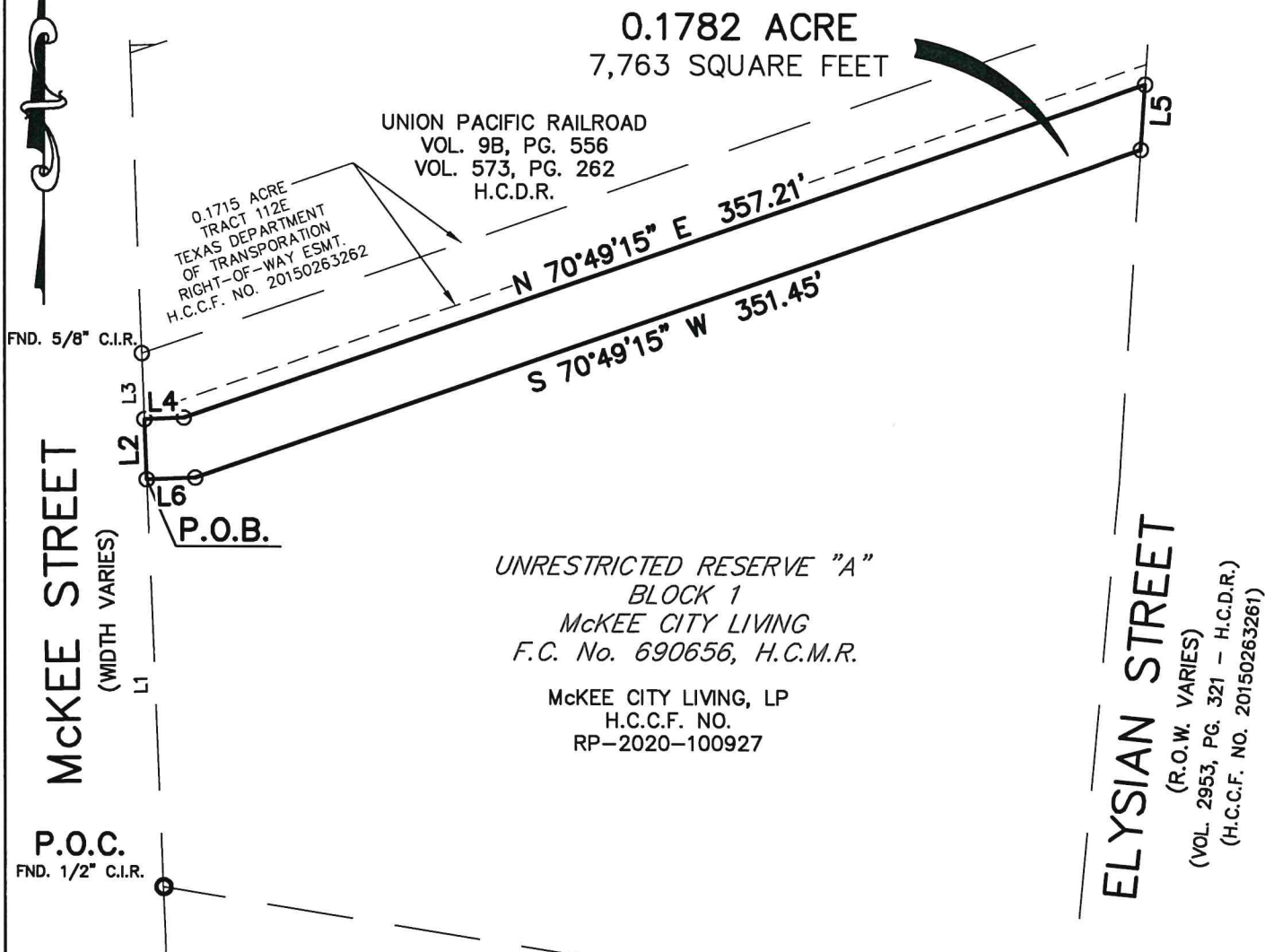
An Exhibit Map of the herein described tract was prepared in conjunction with and accompanies this description.


Chris Rhodes, R.P.L.S.
Texas Registration Number 6532



CVIL-SURV LAND SURVEYING, LC
PH: (713) 839-9181
June 3, 2020

SCALE: 1"=60'

EXHIBIT B, PAGE 3 OF 3 PAGES

NOTE:

1. THE BEARINGS SHOWN HEREON ARE BASED ON THE TEXAS COORDINATE SYSTEM OF 1983, SOUTH CENTRAL ZONE.

2. A METES AND BOUNDS DESCRIPTION OF EVEN DATE HAS BEEN PREPARED IN CONJUNCTION WITH AND ACCOMPANIES THIS EXHIBIT.

LEGEND

H.C.D.R. = HARRIS COUNTY DEED RECORDS
H.C.C.F. = HARRIS COUNTY CLERK'S FILE
FND. = FOUND
C.I.R. = CAPPED IRON ROD
I.P. = IRON PIPE
No. = NUMBER
R.O.W. = RIGHT-OF-WAY
P.O.B. = POINT OF BEGINNING
P.O.C. = POINT OF COMMENCEMENT
VOL. = VOLUME
PG. = PAGE
S.F. = SQUARE FEET
F.C. = FILM CODE
H.C.M.R. = HARRIS COUNTY MAP RECORDS

LINE TABLE

LINE #	DIRECTION	LENGTH
L1	N 2°13'33" W	142.40'
L2	N 2°13'33" W	21.00'
L3	N 2°13'33" W	22.99'
L4	N 87°46'27" E	13.75'
L5	S 3°45'52" W	22.80'
L6	S 87°46'27" W	16.88'



0.1782 ACRE EXHIBIT

OUT OF UNRESTRICTED RESERVE "A", BLOCK 1, OF
McKEE CITY LIVING, A SUBDIVISION OF RECORD IN F.C.
No. 690656 OF THE H.C.M.R., SAME BEING RECORDED IN
THE NAME OF McKEE CITY LIVING, LP IN
H.C.C.F. No. RP-2020-100927, IN THE

JOHN AUSTIN SURVEY
ABSTRACT NO. 1

HARRIS COUNTY, TEXAS JOB#: 19150 JUNE 3, 2020